

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
EAGLE LAKE FIELD OFFICE

FINDING OF NO SIGNIFIGANT IMPACT

**Twin Peaks Herd Management Area Wild Horse and Burro Gather Plan
DOI-BLM-CA-N050-2019-0011-EA**

INTRODUCTION

The Bureau of Land Management (BLM) Eagle Lake Field Office developed an Environmental Assessment (EA) No. DOI-BLM-CA-N050-2019-0011-EA analyzing the effects of the proposed action to gather and remove excess wild horses and burros from within and outside the Twin Peaks Herd Management Area (HMA) in order to achieve the established appropriate management level (AML) and implement a range of fertility controls to maintain the population to within AML over a period of up to 10 years. The Twin Peaks HMA contains 789,852 acres of public and private lands and lies on both sides of the California/Nevada border, with slightly more than half of the area within Lassen County, California and the remainder in Washoe County, Nevada. The current estimated population within and outside the HMA for 2019 is 3,506 wild horses and 632 burros. The estimated 2019 population is more than 782 percent over the lower AML for wild horses and more than 877 percent over the lower AML for burros. Wild horse and burro numbers have increased an average of approximately 17 percent per year since the HMA was last gathered in 2010.

The BLM's last gather for the Twin Peaks HMA conducted in 2010 and was analyzed in EA No. DOI-BLM-CA-N050-2010-0005 (Decision 2010). In 2010, 1,637 wild horses and 162 burros were gathered, 1,575 wild horses and 160 burros removed, and 58 wild horses and one (1) burro were released back to the Twin Peaks HMA. Of these, 18 mares were treated with fertility control vaccine (Porcine Zona Pellucida, PZP-22) and freezemarked for future identification. Post-gather in 2010, an estimated 793 wild horses and 160 burros remained on the HMA.

This finding is based on consideration of the Council on Environmental Quality's criteria for significance (40 CFR 1508.27) with regard to the context and the intensity of impacts as discussed in the EA and summarized below.

PLAN CONFORMANCE AND CONSISTENCY

Based on information in the EA (DOI-BLM-CA-N050-2019-0011-EA), the associated administrative record, and recommendations from the BLM interdisciplinary team of specialists, I conclude this EA is consistent with the Eagle Lake Resource Management Plan and Record of Decision (2008), Section 2.24.4, and the Nevada and Northeastern California Greater Sage-Grouse Approved Resource Management Plan Amendment and Record of Decision (2019, as amended), Section 2.1.5.

CONTEXT AND INTENSITY

Context

The proposed action would allow the BLM to authorize the gather and removal of excess wild horses and burros from within and outside the Twin Peaks HMA in order to achieve the established AML and implement a range of fertility controls to maintain the population to within AML over a period of up to

10 years. This assessment (DOI-BLM-CA-N050-2019-0011-EA) analyzes three action alternatives (Alternatives 1, 2, and 3) and a no action alternative (Alternative 4). The cumulative impacts study area is the Twin Peaks HMA and adjacent areas where horses have strayed outside the HMA boundary.

Intensity

The following discussion is based on the relevant factors that should be considered in evaluating intensity as described in 40 CFR 1508.27:

1. Would any of the alternatives have significant beneficial or adverse impacts (40 CFR 1508.27(b)(1)?

No. I have determined that none of the direct, indirect, or cumulative impacts associated with the proposed action are significant, individually or combined. The EA evaluated both beneficial and adverse impacts to resources. None of the environmental effects discussed in Chapter 4 of the EA are considered significant.

Potential impacts to wild horses and burros include injuries from capture, processing, transfer and holding; and effects to the populations through changes in herd population dynamics, age structure or sex ratio, and subsequently to the growth rates and population size over time. Removing excess wild horses and burros would reduce the level of use of rangeland and riparian vegetation, and help alleviate competition for resources between wildlife and wild horses. While the gather and removal of excess wild horses is expected to have short-term impacts on individual animals, over the long-term it is expected to benefit the animals by improving rangeland health and habitat conditions within the HMA, as the removal of excess wild horses and burros would allow for the recovery of natural resources, such as soils, vegetation, watersheds, wildlife, and wild horse habitat.

None of these impacts described in Chapter 4 would be significant at the local scale or cumulatively with past, present, or reasonable foreseeable future actions.

2. Would any of the alternatives have significant adverse impacts on public health and safety (40 CFR 1508.27 (b)(2)?

No. The proposed action does not pose significant adverse impacts to public health or safety. The proposed action is located within a very remote setting with little human habitation. The Wild Horse and Burro Standard Operating Procedures and Observation Day Protocol used in recent gathers would be followed to conduct the gather and are designed to protect human health and safety, as well as the health and safety of wild horses. Appropriate BLM staff would be present to ensure compliance with visitation protocols. Standard Operating Procedures for the last wild horse and burro gather for the Twin Peaks HMA is available in EA No. DOI-BLM-CA-N050-2010-0005-EA (Appendix A).

3. Would any alternative have significant adverse impacts on unique geographic characteristics (cultural or historic resources, park lands, prime farmlands, wetlands, wild and scenic rivers, designated wilderness or ecologically critical areas) (40 CFR 1508.27 (b)(3)?

No. The Twin Peaks HMA contains many unique and important biological, geological, scenic, and cultural resources. These include several important archaeological sites, four areas of critical environmental concern, seven wilderness study areas, four historic trails, and one eligible wild and scenic river segment. The EA analyzed the impacts associated with implementation of the

proposed action to these unique areas and/or explained why these resources are not an issue and did not require detailed analysis (see Table 3-1 in DOI-BLM-CA-N050-2019-0011-EA). Wild horse and burro gather activities are designed to be minimally intrusive and would have no permanent surface disturbance or impacts to these sites or to their associated values.

4. *Would any of the alternatives have highly controversial effects (40 CFR 1508.27(b)(4)?*

No. The effects of the proposed action are analyzed in the EA, therefore the effects are understood and not expected to be highly controversial. Effects of the proposed action are well known and this is demonstrated through the effects analysis in the EA (see Chapter 4). The effects of wild horse and burro gathers on the quality of the human environment are well documented through many years of BLM's management of wild horses and burros through gathers and other population controls.

5. *Would any of the alternatives have highly uncertain effects or involve unique resources (40 CFR 1508.27(b)(4)?*

No. The analysis provided in the EA indicates there are no uncertain effects that are unique or unknown risks associated with this proposed action. Gathers for wild horses or burros similar to the proposed action have been occurring throughout northeastern California BLM Field Offices and elsewhere within California and Nevada. The effects of these treatments have resulted in a fairly consistent (beneficial) outcome to wild horses and burros and to biological and cultural resources. The methods for removal and capture are not new methods for the BLM and have been used successfully in the past. Fertility or reproductive control treatments are not uncertain and do not pose unknown risks to the human environment associated with treatments.

6. *Would any of the alternatives establish a precedent for future actions (40 CFR 1508.27(b)(7)?*

No. This action does not make any commitments for BLM approval for any future actions beyond those outlined in the proposed action. As standard procedure, any unforeseeable future projects occurring within the project area would be subject to appropriate NEPA analysis and evaluated on a site-specific basis. The proposed action does not set a precedent for future actions.

7. *Are any of the alternatives related to other actions with potentially significant cumulative impacts (40 CFR 1508.27(b)(6)?*

No. Impacts from the proposed action were considered by the BLM interdisciplinary team within the context of past, present, and reasonably foreseeable future actions. No adverse cumulative impacts would result from implementation of the proposed action. There are no related or connected actions associated with the proposed action. Cumulative effects expected would include continued improvement of upland and riparian vegetation conditions, which would in turn benefit permitted livestock, native wildlife, and wild horses and burros as forage (habitat) quantity and quality is improved over the current level.

8. *Would any of the alternatives have significant adverse impacts on scientific, cultural, or historic resources, including those listed or eligible for listing on the National Register of Historic Resources (40 CFR 1508.27(b)(8)?*

No. There are nine established Cultural Resource Management Areas within the Twin Peaks Gather area and various Class II and III cultural resource inventories have been conducted within the Twin Peaks HMA since the 1970s. To prevent any impacts to cultural resources, trap sites and temporary holding facilities would be located in previously surveyed areas. Cultural resource inventories and clearances would be required prior to using trap sites or holding facilities outside

existing areas of disturbance. Cultural resources would mostly be impacted under the no action alternative, as the proposed action would benefit cultural resources by improving riparian and rangeland health conditions.

9. *Would any of the alternatives have significant adverse impacts on threatened or endangered species or their critical habitat (40 CFR 1508.27(b)(9))?*

No. There are no threatened or endangered plants or animals known to occur within the project or the surrounding area. Greater Sage-Grouse, a BLM sensitive species, are known to occur within the HMA. Sage-grouse habitat was an issue discussed and analyzed within the EA (see Section 4.4.6). The proposed action would improve sage-grouse habitat within the project area and would reduce heavy use and trampling of riparian/wetland areas and improve the condition of native perennial vegetative communities. Required Design Features are also included in the EA (Appendix Q).

10. *Would any of the alternatives have effects that threaten to violate federal, state, or local law or requirements imposed for the protection of the environment (40 CFR 1508.27(b)(10))?*

No. The proposed action does not violate any known federal, state, or local law, or requirement imposed for the protection of the environment. The proposed action is in conformance with all applicable regulations under 43 CFR (Code of Federal Regulations).

FINDING

On the basis of the information contained in the EA, the consideration of intensity factors described above, and all other information available, it is my determination that (1) the proposed action is in conformance with the Eagle Lake Resource Management Plan (2008) and the Nevada and Northeastern California Greater Sage-Grouse Approved Resource Management Plan Amendment and Record of Decision (2019, as amended); and (2) the proposed action would not constitute a major federal action having a significant effect on the human environment. Therefore, an EIS is not necessary and will not be prepared.

CONTACT PERSON

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Date